



Docket No.: 20269/1201776-US3  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jay D. KRANZLER *et al.*

Application No.: 10/623,378

Filed: July 18, 2003

Art Unit: 1614

For: METHODS OF TREATING  
FIBROMYALGIA SYNDROME, CHRONIC  
FATIGUE SYNDROME AND PAIN

Examiner: Rebecca COOK

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**


MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of each document on the PTO/SB/08 is attached.

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A concise explanation of relevance of the items listed on form PTO/SB/08 is given.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: December 29, 2004

Respectfully submitted,

By 

Paul M. Zagar

Registration No.: 52,392

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/623,378
				Filing Date	July 18, 2003
				First Named Inventor	Jay D. KRANZLER
				Art Unit	1614
				Examiner Name	Rebecca COOK
Sheet	1	of	1	Attorney Docket Number	20269/1201776-US3

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	WO 02/053140 A2	07/11/2002	Pharmacia & Upjohn Co.		
	BB	WO 00/32178	06/08/2002	Mueller		
	BC	EP 0 759 299 B1	04/26/2000	Eli Lilly and Company		
	BD	WO 99/59593	11/25/1999	Eli Lilly and Company		
	BE	FR 2 752 732	03/06/1998	Bruno et al.		
	BF	WO 97/35584	10/02/1997	Eli Lilly and Company		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
	CA	RAO et al., The neuropharmacology of centrally-acting analgesic medications in fibromyalgia, <i>Theum. Dis. Clin. N. Am.</i> 28 (2002) 235-259.		
	CB	NINAN, M.D., Philip T., Use of Venlafaxine in Other Psychiatric Disorders, <i>Depression and Anxiety</i> 12(1) (2000) 90-94.		
	CC	NUTT et al., Potential Applications of Venlafaxine, <i>Rev. Contemp. Pharmacother.</i> 9 (1998) 321-331.		
	CD	DWIGHT et al., An Open Clinical Trial of Venlafaxine Treatment of Fibromyalgia, <i>Psychosomatics</i> 39(1) (1998) 14-17.		
	CE	GOODNICK et al., Psychotropic Treatment of Chronic Fatigue Syndrome and Related Disorders, <i>J. Clin. Psychiatry</i> 54(1) (1993) 13-20.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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